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CONTENTS

From the Editors.....3

Due Process of Law and The
School Community..... 4
Dr. Charles Hollister

Two Hundred Most Important
Works of Black American
Literature: A Bibliography
.....17
Mr. Roger Whitlow

A Survey of Some Personnel
Practices in Higher
Education..... 31
Dr. William Crane

FROM THE EDITOR

The editors welcome the members of a new Editorial Board. They are representatives of the several departments in the School of Education.

In this, the sixth year of publication, the Journal editors can look back and see the evolution of the titles accorded the teacher education section of the University. When first published in 1967, the Journal was sponsored by the Faculty for Professional Education. Later it became the Faculty of Education and during the past year a School of Education.

During that same period of time there was a growth in formal teaching departments with elementary education in a separate school with the Buzzard Laboratory School. Now there are departments of administration and supervision, elementary, guidance and psychology, and secondary, foundations and special education. In addition there is the department of student teaching and the laboratory school are also adjuncts of the School of Education.

The editors hope the new board will help them make the Journal a stronger voice in education.

DUE PROCESS OF LAW AND THE SCHOOL COMMUNITY

CHARLES HOLLISTER

There is ample evidence that the American system of public education is under attack and its future is at stake. Property owners protest that the system is both expensive and inefficient: there is a threat on the part of many of these people to surrender (in other words despoise of) their holdings because of high taxes. Civil libertarians also assail the system as being highly undemocratic. These people contend that public schools, hospitals for the mentally ill, and jails are the only organizations in our society which hold people against their will. Administrators, teachers and students also complain about the operation. These groups are particularly aware of the fact that too many gaps exist between the system's ambitions and accomplishments. In essence, particularly every group harbors certain kinds of grievance against the manner in which our system of public education functions.

It is appropriate for me to remind you that increasingly one encounters demands that our compulsory education laws be voided. Also there is a growing belief that once the child has learned to read and write, he should be free to pursue that kind of educational activity which appeals to him.

The functions of the school system have also become a concern of the federal courts and they, in turn, have seen fit to impose additional obligations on the public school system. This Supreme Court finding in WEST VIRGINIA STATE BOARD OF EDUCATION V. BARNETTE¹ has created new problems for boards of education:

The Fourteenth Amendment, as now applied to the States, protects the citizen against the State itself and all of its creatures--Boards of Education not excepted. These have, of course, important, delicate, and highly discretionary functions, but none that they may not perform within the limits of the Bill of Rights. That they are educating the young for citizenship is reason for scrupulous protection of Constitutional freedoms of the individual, if we are not to strangle the free mind at its source and teach youth to discount important principles of our government as mere platitudes.

Furthermore, the following decision of the court in SHELTON V. TUCKER² has imposed additional duties on the school board:

- (1) The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.
- (2) By limiting the power of the states (school boards included) to interfere with freedom of speech and

¹319 U.S. 624, 1943.

²364 U.S. 479, 1960.

freedom of inquiry and freedom of association, the Fourteenth Amendment protects all persons, no matter what their calling; however, in the case of teachers, inhibition of freedom of thought, brings these safeguards vividly into operation.

Of course, these determinations made by the Supreme Court in *TINKER V. DES MOINES SCHOOL DISTRICT*³ have significantly broadened the duty of school boards to recognize school administrators, school teachers and school pupils as persons under the constitution:

- (1) It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.
- (2) But, in our system, undifferentiated fear or apprehension of disturbance is not enough to overcome the right to freedom of expression.
- (3) School officials do not possess absolute authority over their students. Students in school as well as out of school are 'persons' under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligation to the State. In our system students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. They may not be confined to expression of those sentiments that are officially approved.

³393 U.S. 503, 1969.

In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their view.

- (4) A student's rights therefore, do not embrace merely the classroom hours. When he is in the cafeteria, or on the playing field, or on the campus during the authorized hours, he may express his opinions, even on controversial subjects like the conflict in Vietnam, if he does so 'without materially and substantially interfering with. . . appropriate discipline in the operation of the school' and without colliding with the rights of others.

These decisions, it is patent, are to the effect that school boards are obligated to provide certain due process of law guarantees to all concerned. Boards, for example, are not to deny those great principles of liberty and justice which be at the base of all our civil and political institutions to school personnel: they are expected to recognize and enforce this proposition--Due process of law is the primary and indispensable foundation of individual freedom. It is the basic and essential term in the social compact which defines the rights of the individual and delimits the powers which the state may exercise.

The question now arises as to what due process of law rights do the members of the school community possess. More particularly, the issue is a proper determination of the kinds of guarantees which school boards should secure to teachers and students if they wish to avoid litigation.

It is my thought that due process of law secures these assurances to teachers and the enforcement of them will enable a school board to stay out of court:

- (1) All teachers shall be selected on the basis of professional competence.
- (2) The terms and conditions of selection and continued employment should be stated in writing. The terms and conditions should be formally accepted by both the teacher and the school district before the appointment is finalized.
- (3) Teachers should be assured full freedom to explore and present ideas. They should be free to discuss all ramifications of their subject so that the learning experience will be rewarding and satisfying to their pupils. They should be free to promote an atmosphere of free inquiry in their classrooms.
- (4) Teachers should be recognized as citizens and enjoy those citizenship rights which are secured by constitution. They should be free, as persons to participate in political, religious and social activities, movements and organizations. When they speak or write they should be free from institutional censorship or discipline.
- (5) Evaluation criteria for the teacher should be printed and be comprehensible to all concerned.

- (6) Decisions about employment, tenure, promotion and salary are of vital importance. Therefore it is imperative that review procedures be available to establish beyond a reasonable doubt that the decisions are predicated on criteria related to professional competence. In making these crucial decisions one must diligently avoid conclusions which rest on improper considerations.
- (7) A teacher must be afforded the opportunity to ascertain whether or not these findings are defensible or undefensible. In other words, a procedure which has been reduced to writing must be available to the teacher who wishes to contest a determination on the grounds that it rests on a lack of mature thought or serious deliberation.
- (8) Very, very serious thought must be given to the matter of releasing a tenured teacher. A decision of this nature should reflect the fact that the reasons for the dismissal are bonafide and the action does not violate either constitutional safeguards or the accepted principles of academic freedom. When the school board concludes that a tenured teacher must be released, it should abide by those hearing and decision-making procedures which the American Association of University Professors state should be utilized in these kinds of cases.
- (9) In cases involving non-retention of non-tenured faculty members the following principles shall govern:

- a. Non-tenured teachers shall have the rights, if they so request, to obtain in writing the reasons for the decisions, and with particularity.
- b. They shall also have a right to any documentary evidence which may have contributed to the decision of non-retention, and to confront and examine anyone presenting evidence on which such a decision is based.
- c. They shall have the right, if they so request, to a hearing at which they may attempt to demonstrate that improper criteria have been used in the decision-making process.
- d. They shall have a right to present evidence and witnesses which they believe to demonstrate the use of improper criteria.
- e. They shall have a right to bring advocates of their choice, including legal counsel, to represent them at any such hearing.
- f. Any such hearing shall be before an impartial person or body convened for that purpose. The hearing shall be private unless the employee requests that it be public. A verbatim record of the hearing shall be taken and an official transcript shall be available to an employee on request.
- g. The decision of the hearing officer or body shall be in writing and based solely on the evidence presented

at the hearing.

A decision to abide by these guidelines should bring about an environment in which all are treated in a fair, orderly and impartial manner. The enforcement of these rules and regulations should make it difficult for any person or agency to act in an arbitrary, capricious or unreasonable manner.

Students and Due Process of Law

To insure fair treatment to students it is urged that the following courses of action be pursued.

- (1) There should be created an elective and representative student government with offices open to all students. Furthermore, all students should be permitted to vote.
- (2) The student government should be empowered to determine how student funds are to be expended. In the performance of this activity, the students, of course, should be subject to audit controls and the proper by-laws of the board of education.
- (3) Nonacademic programs should be held under rules and regulations adopted by the student government. Also, the student governing body should participate in the process of developing curriculum and of establishing disciplinary codes.
- (4) Representatives of the pupil organization should

meet periodically with a school administrator for purpose of discussing school programs and policies. The school officer and the student representatives should share in the formulation of school student policies. These parties should examine school-student relations and any other matters of student concern.

- (5) School publications should reflect the policy and judgment of the student editors. Students should be alerted to the fact that it is incumbent upon them to be guided by the principles of responsible journalism: in particular they must seek to avoid libel, defamation of character and obscenity.
- (6) Pupils may exercise their constitutionally protected rights of free speech and assembly so long as they do not interfere with the operations of the regular school program.
- (7) Students have a right to wear political buttons, arm-bands and other badges of symbolic expression as long as such activity does not interfere with normal school activities.
- (8) Pupils should be authorized to hand out leaflets on school property at particular places and set hours. A school administrator and the student government should adopt the necessary place and time regulations so that the attempts of the school to accomplish its proper mission will not be thwarted. (It is understood that no commercial or obscene material,

nothing of a libelous nature or involving the defamation of character, nor anything advocating racial or religious prejudice can be circulated within the school.)

- (9) Students should possess the authority to establish political and social groups, including those that support unpopular courses. (These organizations, however, must be open to all students and they must abide by board of education policies.)
- (10) Students have the right to determine their own dress, except where such dress is clearly dangerous, or is so distractive as to clearly interfere with the learning and teaching process. This right may not be restricted even by a dress code arrived at by a majority vote of students.
- (11) The rules and regulations about student behavior should be reduced to writing and should be distributed to students early in the school year. It would be well for this document to include a statement about the rights and responsibilities of students.

There is reason to believe that if these kinds of religious, speech, press, and assemblage rights are maintained our ability to defend an open society will be enhanced. The enforcement of these procedures should enable (1) the members of the school community to be bold and adventure-some in their thinking, (2) to create a milieu wherein the mind is free, and (3) to pave the way whereby ideas may be pursued whatever they lead.

When it becomes necessary to discipline a student, the school community should make certain that a proper notice is given and, where necessary, a right kind of hearing is conducted. Where a student is subject to suspension or expulsion, these kinds of safeguards should be afforded to the student.

- (1) The student shall be entitled to a hearing before the disciplinary body of the school.
- (2) He shall be further entitled to receive a statement in writing, at least two days prior to the hearing, setting forth the charges against him with sufficient clarity to enable him to present a reasonable defense thereto.
- (3) He shall also be entitled to learn the names of the witnesses who are directly responsible for having reported the alleged violation to the disciplinary body. If there be no such witnesses, the student should be adequately informed of the manner in which the alleged violation was brought to the attention of the disciplinary body.
- (4) The student shall have the authority to present his defense to the disciplinary body while the members are assembled for the hearing. He shall also possess the authority to present a reasonable number of witnesses in his own behalf.
- (5) He shall be further entitled, if he so chooses, to be accompanied and represented by legal counsel or by

a lay adviser; provided, however, that in all hearings before the disciplinary body, the normal rules of procedure of said body shall be enforced.

- (6) The student shall be further entitled to an expeditious handling of his case and a prompt decision. The hearing and decision, however, should reflect the fact that the hearing officers conducted themselves in a mature fashion and gave careful consideration to the charges and the defenses.
- (7) Finally, the student should be entitled to a definite explanation in writing of the basis for any decision rendered against him.

Once more, there is reason to believe that an adherence to these kinds of rules and regulations will enable a school board to stay out of court. A determination to abide by these procedures will protect all concerned against an arbitrary deprivation of life, liberty or property.

BLACK LITERATURE

Recently schools have become aware of their responsibilities in the area of developing deeper understanding of the contributions of blacks to the collective society. They have, also, been made legally responsible in most states for the specific inclusion of black history and the like into the curriculum. Unfortunately, the typical teacher in most school systems has little in his background to enable him to properly select materials to highlight the black experience. To that end, the editors of the Eastern Education Journal present a bibliography prepared by Professor Roger Whitlow of the Eastern Illinois University Department of English.

Mr. Whitlow teaches American literature, black American literature, and Honors English at Eastern. He has published articles in the field of black literature, and he is the author of a forthcoming book, Black American Literature: A Critical History of the Major Periods, Movements, Themes, Works, and Authors. His courses are integral parts of the program in Black Studies at Eastern.

Note: In order that the literary works may be viewed in the order in which they were produced, four sections of the bibliography -- Poetry, Autobiography, Fiction, and Drama -- are arranged chronologically, according to the author's first publication. The other three sections -- Folklore, Anthologies, and Literary Criticism and Bibliography are arranged alphabetically by the authors' last name.

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A SURVEY OF SOME PERSONNEL PRACTICES IN HIGHER EDUCATION

WILLIAM CRANE

Graduate students' have a way of asking perceptive and sometimes embarrassing questions - embarrassing in the sense that the instructor is forced to admit that he doesn't know the answers. Most of the information pertinent to the study of student personnel work in higher education can be found in books and published articles. As students read and discuss the information, they find points of interest which may not be of primary importance in developing theories, but may be of importance in developing attitudes and understandings. In an attempt to find answers which were not supplied in any concise form in published material, it was thought that a survey was called for.

A sample of 151 institutions having student populations of 5,000 or more was selected. The questionnaire was sent to the chief student personnel officers and ninety-four, or 62 percent, returned them. The cover letter asked for single or multiple answers and for comments whenever needed in an attempt to extend the subjective nature of the survey. Multiple answers and comments were plentiful. The number of answers per question ranged from 89 to 147 with a mean of 119.

Questions of Theory

Published material offers a mass of information regarding theory, some based on logic and some purely opin-

ionated. A student has no difficulty in finding potential answers to his questions, but occasional gaps do occur.

Various forms of structure have been presented by authorities in educational and business administration. The assumption that seems to underlie these theories is that form is the major criteria and good administration in one place will be good administration in another. A question was developed to give a guideline to students. The opening statement read, "Student personnel administration is different from academic administration because it requires..." The largest response (43%) was, "the weighing of personal, family, and cultural pressures on each student." The next largest response (24%) was, "continuing emphasis upon student participation and the collection of student opinion."

Texts on student personnel work do not spend much time on the specifics of administration, although this factor is of interest to students. Although the chief officer may not be aware of the variety of forms recommended by specialists in administration, it was thought advisable to ask about forms. No single administrative type was acceptable to a majority of the respondents. The lead statement read, "In administering the student personnel program, the best form of management is ..." Preference (38%) was given to "an open-door form where any member may make a suggestion to the chief officer." This alternative was closely followed by two others "the inverted T where the ideas of the total staff are passed through one or more higher-level officers to the chief officer" (24%) and "an administrative council form where the chief is only a member and where all ideas are accepted and discussed before action is taken" (21%).

A good deal of discussion has taken place about the composition of counseling services on a college campus and the limits which should be placed on that activity in student personnel work. Opinions and writings recommend services that range from the educational and vocational counseling attached to the curriculum to extensive therapeutic services. Because decisions about counseling services will be influenced to a great degree by attitudes of chief personnel officers, a question on the matter was included. The statement read, "Mostly, counseling services should be made up of..." A moderately limited choice was shown by 37% of the respondents - "personnel and vocational counseling, testing, and service to the community." Three other alternatives were close - "clinical counseling and therapy" (21%), "personal counseling and group testing" (18%), and "personal counseling and remedial work after teacher referral" (17%). Multiple choices were obvious in the matter of counseling services.

Questions of Practice

It seemed reasonable to begin an examination of local conditions by offering statements of purpose for choice. The lead statement read, "The purpose of student personnel services at this institution is to..." Only two choices were outstanding = "facilitate the total adjustment of each student to the university environment" (48%) and "supplement the academic learning activity" (37%).

Several statements and choices related to detailed administrative practices, especially those concerned with decision-making, were presented in no particular order.

They might be put together to support some form of administration, but the main importance of the answers is as an indication of personal and organizational attitudes. A statement was offered, "In the administrative organization of the university, the chief student personnel officer is..." The two main choices were nearly equal. There were 52 multiple choices made, suggesting a good deal of agreement. The highest choice was 39% for "a voting member of the President's council" and the next was 33% for "consulted on all or most policy matters affecting the institution."

Another question in the same area had the lead, "The top administrative advisory group of the institution..." The bulk (40%) of answers were "is made up of the major administrative officers with no teaching faculty members." There were two other fairly popular choices; "is the only advisory to the President" (28%) and "has its members elected from the university faculty and administrative staff" (21%). The suggestion here is that teaching faculty members are not regularly included in decision-making at the top of the pyramid, but in any case, these councils are only advisory and have no accountability.

Since there seems to be a modest amount of conversation about placing students in decision-making groups, it seemed reasonable to ask for attitudes on the topic. The statement was, "Student involvement in personnel administration is..." Two choices stood out: "encouraged, welcomed, and planned for at all levels of activity" (43%) and "accepted through several committees and councils where participation is shared with personnel workers" (36%).

The administrative relations between the chief student personnel officer and those working in the divisions have been implied or described by many authorities writing about student personnel work. A response was asked to the lead "The chief student personnel officer decides matters of policy and procedure..." Three alternatives were closely selected: "by asking as many members of the staff as possible for opinions and information" (34%), "upon the advice of the director of the appropriate unit of activity" (26%), and "after discussion by the student personnel council" (24%).

Hiring and promotional procedures were frequently of interest to graduate students, probably because they were personally involved and somewhat apprehensive. One approach to attitudes in this area was through the statement "The hiring of staff members depends upon the approach of the President or the Board, but the decision to hire is influenced mainly by..." Two selections overrode the rest; "the director of each functional unit" (53%) and "the chief student personnel officer" (42%). The multiple choices (19) were less than average.

Along the same line of thought, questions have been asked about the background and personal characteristics of student personnel workers. The latter area has been surveyed extensively and studies are readily available reporting specific characteristics and general evaluations of personality. Little is to be found about the academic and experiential backgrounds of student personnel workers, although some surveys have appeared. An assumption is frequently made that training in student personnel work is

the major requirement for hiring, and this may be true, but it seemed that a question on the matter might lead to a clearer understanding. It was stated, "The type of experience preferred for most student personnel workers is..." The preferences indicated a predominance of "counseling and guidance work primarily" (37%). Secondary importance was assigned to "specialization in psychology, sociology, economics, or other behavioral science" (27%) and "administration at any educational level" (20%). The split-choice options were comparatively high (139) suggesting that several combinations of background would be acceptable to the hiring officers.

Since promotions and hiring practices are handled by the same individuals using the same policies in many universities, another statement regarding background was included. The introductory segment was, "preference in hiring and promotion is given to the individual who has..." Few multiple selections were made, but the two main choices were close. The first was "training in any academic area, but training or experience that relates to a definite student personnel activity" (41%). The second was "a graduate program related to several aspects of student personnel work" (36%).

In addition to questions regarding preferred backgrounds for promotion, students have inquired about the methods used and the officials involved in the process. The descriptive statement was, "Promotion to a position of more responsibility is done by..." The response was one of the most obvious ones and the split choices were below average. The major alternative was, "approved by the chief student

personnel officer upon the recommendation of the director of a unit" (65%). No other alternative was close.

The services included in student personnel work are separated into specific functions on most campuses and offices are assigned to fulfill the functions. In each office, there may be several professional employees. Assuming that each student personnel worker has a clear understanding of his role in the division, there should be a statement of expectations or a description of the service he is to perform. Setting aside the effect of personality factors which might determine the duties, the question arises, "How are the staff members informed about their expected duties?" One might anticipate a series of printed job descriptions, an oral explanation from an area director, or something less structured, like a trial-and-error experience. Some insight into the practices of informing was found by the lead "In actual practice, the duties of each student personnel worker are..." A majority of responses were to "delineated by the chief, Dean, or Director of each unit" (55%). Some variety in practice is shown by the answers "as defined in previously determined descriptions, manuals or forms: (21%) and "more closely related to the background and personality of each person than to a printed definition? (19%).

Written descriptions of student personnel programs have been reasonably complete, but not all details can be included in published material. Many of the details are passed over as incidental or as not related to the studies being reported. Several of these specifics were included in the survey as minor but informative items. One topic

that is frequently presented in published articles is the planning of programs. On some campuses, programs depend upon the ability of the student to do his own. Some schools have all or most program planning done through a counseling center and others use a system of advisers.

Because questions arise as to the form of organization in which advisers are used, a statement directed toward those questions was offered. The beginning phrase was "Generally speaking, the student personnel staff relies on academic advisers..." Two choices were made equally, each indicating that non-personnel people are assigned to furnish the service - "who are members of the teaching faculty with student personnel contact" (38%). Further agreement is shown by the small number (106) of multiple responses. Parenthetically, only three respondents chose the alternative "who are a part of and supervised by a member of the personnel division."

The chief personnel officer is the head of a specific administrative division and he will play that role according to his own personality and preferences and as he feels he should within the structure established by a president or an administrative body. When discussing the activities or requirements of the job of chief officer, no overriding generalizations can be made. Consequently, the opinions of the officers themselves must be examined as the bases for information. The statement presented was, "For the head of the student personnel division, most time is spent in..." A majority of the officers said "planning future activities and improving present ones" (51%). A distant ~~second~~ choice should be of considerable interest to students of student

personnel work - "working for the development of positive attitudes toward the university by students and faculty" (27%).

Summary

Because of the multiple choices requested and supplied by the respondents in the survey, the alternatives having the highest number of selections can be taken as accumulated "best" answers. By taking the "best" answers and those fairly close in the number of responses, a picture of practice in the areas touched on in the survey can be described.

The philosophy upon which student personnel work is based centers on concern for the total student. Although student personnel work began as a sort of housekeeping activity with discipline as its main concentration, it has become much broader in its orientation. It appears to include all aspects of the development of the student as an individual and as a member of one or more groups. Each student's adjustment to a university and to college life in general is of import.

In this area of university actions, the form of administration is not restricted by its aims, but it is moderately limited in its permissiveness toward members of its staff. All administration is the organizing of authority. The same pattern holds here. The chief student personnel officer makes the decisions in most cases, although he makes all problems open to examination and suggestion by professional employees. Some universities have extended democratic process to a form of administrative council, but the major-

ity rely upon the usual pyramid forms of authority. The title of the chief officer may vary somewhat, but his position at the top of the ladder is clear as is his decision-making function. Reinforcement of this idea is found in his place on the topmost governing council of the institution. Below the top of the pyramid, occupied by a Vice-President or a Dean of Students, decisions are sometimes opened to study by the other members of the staff. After decisions have been made, they are relayed to the staff at a regularly held meeting. Communication forms vary somewhat, but the staff meeting is the main method. Incidentally, the top council seldom includes members of the staff.

When student personnel services are extended in the future, it seems possible that they will reach into all facets of college life. Students themselves will, no doubt, be included in the direction of activities more than they have been, if the results of this survey are accurate. They are being included in many councils and committees at present and will be welcomed at most levels of administration, but particularly in student personnel work.

When details of student personnel administration were examined, some clear attitudes about hiring and promotion policies emerged. Decisions about hiring are almost evenly divided between the chief officer and the directors of service units, with the latter having a slight edge. When decisions are made, they are based upon a background which includes training in counseling and guidance or one of the behavioral sciences and experience related to a student personnel activity. Administrative experience in education is preferred in some cases, but not in a majority. Deci-

sions about promotion are usually made by the chief officer on the advice of a unit director.

When working in the personnel area, the employee finds that his duties have been described in detailed manuals and descriptions in printed form. Very seldom are the actual duties of a job the result of the background or personalities of the workers. In most universities, the student personnel workers may teach one or more courses, if they wish.

The outstanding characteristic indicated by this survey is that of persistence. The attitudes and practices of the ten years are persistently held and applied in the colleges and universities represented here. Almost no new approaches or theories have been reported, even though the student populations are multiplying and forms of higher education are straining under older structures. It may be that the older forms and older ways of fulfilling student personnel services are adequate to meet any expansion noted today and visualized in the future. On the other hand, it may be that student personnel work, as most educational enterprises, is still bound by tradition and will only find solutions to problems after they have become unbearable.

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